

City of Gloucester

City Council

CITY HALL • GLOUCESTER • MASSACHUSETTS • 01930
Telephone 978-281-9722 Fax 978- 282-3051

CITY COUNCIL
AND
CITY COUNCIL STANDING COMMITTEE
Ordinances & Administration
Monday, April 13, 2009 – 7:00 PM
Council Conference Room (First Floor) City Hall

- **Appointments**

1. Karen Gallagher, Planning Board (TTE 2/14/2014)
2. Robert Francis, Traffic Commission (TTE 2/14/2012)
3. Richard White, Historical Commission (TTE 2/14/2012)
4. Robert Wolfe, Historical Commission (TTE 2/14/2012)

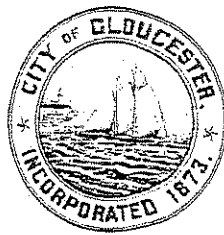
- **Orders**

1. Order 09-015 (Hardy) Reorganization of Civil Defense Dept.
2. Order 09-018 (Hardy) Ad Hoc Committee to promote Fishermen's Statute Quarter.
3. Order 09-19 (Foote) Amend Sec. 19, Div. 1 and 2 re: Secondhand Goods.
4. Memo from Building Inspector re: Draft ordinance for trench excavation permits.
5. Establish a Clean Energy Committee.

COMMITTEE
Councilor John "Gus" Foote, Chair
Councilor Sefatia A. Romeo, Vice Chair
Councilor Bruce Tobey

C: Mayor
Jim Duggan
Karen Gallagher
Robert Francis
Richard White
Robert Wolfe
John Beaudette
Lt. Joe Aiello
Bill Sanborn
Phil Dench

City Hall
Nine Dale Avenue
Gloucester, MA 01930



TEL 978-281-9700
FAX 978-281-9738
ckirk@ci.gloucester.ma.us

CITY OF GLOUCESTER
OFFICE OF THE MAYOR

March 31, 2009

Ms. Karen Gallagher
34 Atlantic Street
Gloucester, MA 01930

Dear Karen:

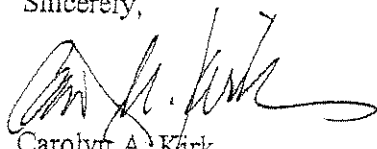
Thank you for your interest in serving on the **Planning Board**. I have issued you a 90-day temporary appointment to serve on this committee which will enable you to attend and vote at meetings. Our records indicate that you were sworn in on March 25, 2009.

Your appointment will be forwarded to the City Council for their meeting of April 7, 2009 and then will be referred out to the Ordinance and Administration subcommittee. You will receive a notice from the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

Should you have any questions or if you require any additional information, please do not hesitate to contact my office.

Thank you again for your willingness to serve on this important Board.

Sincerely,



Carolyn A. Kirk
Mayor

CAK/c

The City of Gloucester, Massachusetts

Dear Karen Gallagher, 34 Atlantic Street, Gloucester, MA 01930

*It is my pleasure to inform you that I have this day appointed you
to the Planning Board
of the City of Gloucester, Massachusetts.*

Effective March 23, 2009.

This is a 90-day temporary appointment.

After City Council approval, term to expire 2/14/2014.

Respectfully,

Mayor

N.B. *You are required to be sworn in at the office of the City Clerk before acting
under the appointment.*

SWORN IN _____ BY _____

Karen A. Gallagher

34 Atlantic Street

Gloucester, Massachusetts 01930-1625

Telephone: 978/618-3266 • E-mail: kag1107@comcast.net

PROFILE

Attorney and Chief Executive Officer with broad experience in the practice of law, government relations, public policy analysis, lobbying, public speaking, speech-writing, public relations, production of media tools, meeting and conference planning.

Assistant Clerk Magistrate Essex County Juvenile Court

Attorney at Law Owner and sole practitioner of a part-time law practice

General Practice with experience in; family law, juvenile law, personal injury law, simple estate planning, residential-real estate law and contracts

Executive Officer Provide leadership and direction for all operations within the office; work in APTA of MA conjunction, with the association, president, executive committee, members of the board of directors and the general membership

Government Affairs

Coordinate lobbying efforts with contract lobbyist, educate legislators, research laws, legislation and regulations, draft testimony and testify at hearings, draft legislative alerts and updates

Administration and Public Relations

Formulate new policies; implement and monitor existing policies

Negotiate contracts

Liaison to external groups, i.e.; health organizations, governmental and regulatory groups and insurance companies

Work with treasurer and finance committee to remedy financial problems, draft financial plans and develop revenue strategies

Coordinate and oversee the production of newsletters, promotional and program brochures, web page and all electronic communications

Maintain and preserve all Association records and archives

Meeting Planning

- Organize Annual Conference and Exposition, business meetings and education programs
- Develop educational programs
- Contract speakers
- Solicit exhibitors and sponsors
- Negotiate and contract with hotels for meeting space

PROFESSIONAL EXPERIENCE

Assistant Clerk Magistrate - Essex County Juvenile Court

2008 to Present

Performs the duties of a judicial officer having limited authority in the area of Delinquencies, Care and Protections and Children in Need of Services (CHINS)

Conducts Show Cause Hearing to determine whether there is sufficient evidence or reasonable cause to believe the case warrants further legal prosecution, and move forward with the criminal charges; Conducts Hearings for Children in Need of Services to determine whether a Petition should issue; Issues Warrants; Assists in the management of the day to day operation of the court

Attorney at Law

1993 to 2008

Sole, part-time practitioner

Admitted to the Massachusetts Bar

General Practice with experience in; family law, juvenile law, personal injury law, simple estate planning, residential-real estate law and contracts

American Physical Therapy Association of Massachusetts, Inc. (APTA of MA), Gloucester, MA

1989 to 2008

Chief Executive Officer of the APTA of MA, a professional organization representing approximately 2,000 physical therapists, physical therapist assistants and students of physical therapy throughout the Commonwealth of Massachusetts. The Association's goals are to serve its members and the public by increasing the understanding of the physical therapist's role in the health care system and by fostering improvements in physical therapy education, practice, research, laws and regulations.

Commonwealth of Massachusetts, State House, Boston, MA

1986 to 1989

Legislative Aide to State Senator Frederick E. Berry (D. Peabody)

Responsibilities included: monitoring and drafting legislation; research; speech writing; drafting press releases, liaison to elected and appointed officials, legislative agents, public interest groups and constituents.

North Shore Community Action Program, Peabody, MA

1984 to 1986

Director - Fuel Assistance Program

Responsibilities included: coordination of regional low-income heating assistance program

Action Inc., Gloucester, MA

1982 to 1983

Assistant Office Manager - Fuel Assistance Program

Responsibilities included: assisted in coordinating a regional low-income heating assistance program

EDUCATION

1992, Juris Doctorate, Suffolk University School of Law, Boston, MA

1982, B. A. Political Science, Merrimack College, North Andover, MA

The General Laws of Massachusetts

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PART I. ADMINISTRATION OF THE GOVERNMENT

TITLE VII. CITIES, TOWNS AND DISTRICTS

CHAPTER 41. OFFICERS AND EMPLOYEES OF CITIES, TOWNS AND DISTRICTS

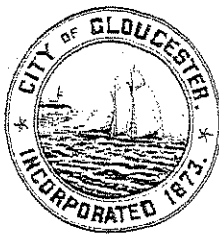
IMPROVED METHOD OF MUNICIPAL PLANNING

Chapter 41: Section 81A. Planning board; establishment; membership; tenure; vacancies

Section 81A. Any city except Boston, and, except as hereinafter provided, any town may at any time establish a planning board hereunder. Every town not having any planning board shall, upon attaining a population of ten thousand, so establish a planning board under this section. A planning board established hereunder shall consist of not less than five nor more than nine members. Such members shall in cities be appointed by the mayor, subject to confirmation by the city council and in towns be elected at the annual town meeting or be appointed in such manner as an annual town meeting may determine; provided, that a town which has a planning board established under section seventy may, at an annual town meeting or at a special town meeting called for the purpose, vote to establish a planning board under this section and may provide that the members of the planning board then in office shall serve as members of the planning board under this section until the next annual town meeting. When a planning board is first established or when the terms of members of the planning board established under section seventy serving as members of the planning board under this section expire, as the case may be, the members of the planning board under this section shall be elected or appointed for terms of such length and so arranged that the term of at least one member will expire each year, and their successors shall be elected or appointed for terms of three or five years each as determined by the city council in the case of a city and by the town meeting in the case of a town. Any member of a board so established in a city may be removed for cause, after a public hearing, by the mayor, with the approval of the city council. A vacancy occurring otherwise than by expiration of term shall be filled for the unexpired term, in a city, in the same manner as an original appointment, and, in a town, if the members of the board are appointed, in the same manner as the original appointment. If the members of a planning board are elected, any unexpired term shall be filled by appointment by the board of selectmen and the remainder of the members of the planning board until the next annual election, at which time, such office shall be filled, by election, for the remainder of the unexpired term. All appointments pursuant to this section shall be in the manner provided in section eleven. Such a board shall elect annually a chairman and a clerk from among its own number, and may employ experts and clerical and other assistants. It may appoint a custodian of its plan and records, who may be the city engineer or town clerk. No member of a planning board shall represent before such board any party of interest in any matter pending before it.

Towns of less than ten thousand inhabitants, having no planning board established under this section may, by vote of the town meeting, authorize the board of selectmen to act as a planning board under this section until such a board is established; provided, that any such town, upon attaining a population of ten thousand, shall establish a planning board hereunder.

City Hall
Nine Dale Avenue
Gloucester, MA 01930



TEL 978-281-9700
FAX 978-281-9738
ckirk@ci.gloucester.ma.us

CITY OF GLOUCESTER
OFFICE OF THE MAYOR

March 31, 2009

Mr. Robert Francis
21 Old Ford Road
Gloucester, MA 01930

Dear Bob:

Thank you for your service as an alternate on the City of Gloucester's Traffic Commission. I am pleased to appoint you as a permanent member of the Commission and have issued you a 90-day temporary appointment to service on this committee which will enable you to attend and vote at meetings. Please report to the City Clerk's office to pick up your appointment card (*copy enclosed*) and be sworn in at your earliest convenience.

Your appointment as a permanent member of the Traffic Commission will be forwarded to the City Council for their meeting of April 7, 2009. Your appointment will be referred out to the Ordinance and Administration subcommittee, and you will receive a notice from the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

Should you have any questions or if you require any additional information, please do not hesitate to contact my office.

Again, thank you for your service to the City of Gloucester.

Sincerely,

Carolyn A. Kirk
Mayor

Enclosure
CAK/c

The City of Gloucester, Massachusetts

Dear Robert Francis, 21 Old Ford Road, Gloucester, MA 01930

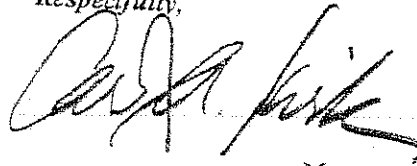
*It is my pleasure to inform you that I have this day appointed you
to the Traffic Commission
of the City of Gloucester, Massachusetts.*

Effective March 31, 2009.

This is a 90-day temporary appointment.

After City Council approval, term to expire 2/14/2012.

Respectfully,



Mayor

N.B. *You are required to be sworn in at the office of the City Clerk before acting
under the appointment.*

SWORN IN _____ BY _____

required to be accomplished in the interest of public betterment.

(c) Whenever signs are in place giving notice that any street or highway has been closed pursuant to this section, it shall be unlawful for any person to drive any vehicle on any such closed street or highway.

(Code 1970, § 21-4; Ord. No. 4-96, § 1, 2-20-96)

Cross reference(s)—Streets, sidewalks and other public places, Ch. 21.

Sec. 22-23. Experimental regulations.

For purposes of trial, the city vehicle may make temporary rules regulating traffic. No such experimental rule regulating traffic shall remain in effect for a period of time longer than thirty (30) days.

(Code 1970, § 21-5)

Secs. 22-24–22-29. Reserved.

DIVISION 2. **TRAFFIC COMMISSION***

*Cross reference(s)—Boards, commissions, councils and committees, § 2-400 et seq.

Sec. 22-30. Created; purpose.

As a continuation of planning board work and for the purpose of promoting the health, safety, convenience and general welfare of the inhabitants of the city, to lessen congestion and confusion in the streets, to lessen the danger from fire and assist the fighting of it and to facilitate the creation of more adequate provision for transportation and parking, there is hereby created a traffic commission. The commission shall have as its primary purpose the making of studies and presenting of recommendations to the mayor in the matter of regulating traffic and parking in the city.

(Code 1970, § 21-22)

Sec. 22-31. To act in official capacity under control of mayor.

The traffic commission shall act in an official capacity for the city and shall be under the over-all control and authority of the mayor.

(Code 1970, § 21-25)

Sec. 22-32. Composition; appointment; terms of members.

The traffic commission shall consist of five (5) members appointed by the mayor and confirmed by the city council. Appointments to the commission shall be for terms of three (3) years. In case of the resignation, death or disqualification of any member of the commission, or for the purpose of filling a vacancy for any other reason, an appointment for the unexpired term shall immediately be made by the mayor.

(Code 1970, § 21-23)

Sec. 22-33. Organization meeting; officers.

As soon as possible after the membership of the traffic commission is determined in each year, the commission shall meet and elect from its own membership a chairman and secretary-treasurer to

serve for the term of one (1) year. The secretary-treasurer shall give official notice in writing to the mayor that the commission has organized, giving the names of the chairman and secretary-treasurer.

(Code 1970, § 21-24)

Sec. 22-34. Duties.

It shall be the duty and responsibility of the traffic commission to make detailed studies of the motor vehicle and all other forms of traffic within the city, its present and future parking needs and related matters, and to determine, on a community-wide basis, an over-all long-range plan to meet the city's needs. As such needs are determined, recommendations for the improvement of conditions, accompanied by such maps, graphs and charts as may have been prepared, shall be submitted to the mayor.

(Code 1970, § 21-26)

Sec. 22-35. Assistance of city officials, boards and employees.

The traffic commission may request the services and assistance of any of the officials, boards and employees of the city at all reasonable times when the commission determines that it requires the assistance and advice of such officials, boards and employees in the performance of its duties.

(Code 1970, § 21-27)

Sec. 22-36. Annual report.

The traffic commission shall make an annual written report of its activities to the mayor.

(Code 1970, § 21-28)

Secs. 22-37--22-49. Reserved.

ARTICLE III. OPERATION OF VEHICLES*

*State law reference(s)--Driving precautions for safety of other travellers, M.G.L.A. c. 90, § 14.

DIVISION 1. GENERALLY

Sec. 22-50. Care in starting, stopping, turning or backing.

(a) The driver of any vehicle, before starting, stopping, turning from a direct line or backing shall first see that such movement can be made in safety. If the movement cannot be made in safety or if it interferes unduly with the normal movement of other traffic, the driver shall wait for a more favorable opportunity to make the movement.

(b) If the operation of another vehicle should be affected by a stopping or turning movement, the driver of the other vehicle shall be given a plainly visible signal, as required by M.G.L.A., chapter 90, section 14B.

(Code 1970, § 21-54)

Sec. 22-51. Emerging from alley, driveway or garage.

City Hall
Nine Dale Avenue
Gloucester, MA 01930



TEL 978-281-9700
FAX 978-281-9738
ckirk@ci.gloucester.ma.us

CITY OF GLOUCESTER
OFFICE OF THE MAYOR

March 17, 2009

Mr. Richard Burton White
18 Wingaersheek Road
Gloucester, MA 01930

Dear Mr. Whie:

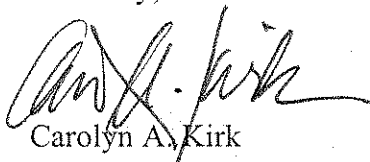
Thank you for your interest in serving on the Historical Commission. I have issued you a 90-day temporary appointment to serve on this committee which will enable you to attend and vote at meetings. Please report to the City Clerk's office to pick up your appointment card (copy enclosed) and be sworn in at your earliest convenience.

Your letter of interest will be forwarded to the City Council for their meeting of March 24, 2009. Your appointment will be referred out to the Ordinance and Administration subcommittee, and you will receive a notice from the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

Should you have any questions or if you require any additional information, please do not hesitate to contact my office.

Thank you again.

Sincerely,


Carolyn A. Kirk
Mayor

cc: Barbara Lambert, Chair, Historical Commission
Enclosure
CAK/c

The City of Gloucester, Massachusetts

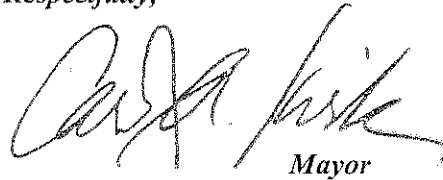
Dear Richard Burton White, 18 Wingersheek Road, Gloucester, MA 01930

*It is my pleasure to inform you that I have this day appointed you
to the Historical Commission
of the City of Gloucester, Massachusetts.*

Effective March 19, 2009.

This is a 90-day temporary appointment.
After City Council approval, term to expire 2/14/2012.

Respectfully,



Mayor

N.B. You are required to be sworn in at the office of the City Clerk before acting
under the appointment.

SWORN IN _____ BY _____

The City of Gloucester, Massachusetts

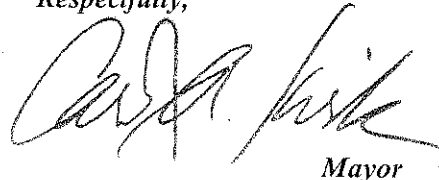
Dear Richard Burton White, 18 Wingersheek Road, Gloucester, MA 01930

*It is my pleasure to inform you that I have this day appointed you
to the Historical Commission
of the City of Gloucester, Massachusetts.*

Effective March 19, 2009.

This is a 90-day temporary appointment.
After City Council approval, term to expire 2/14/2012.

Respectfully,



Mayor

N.B. You are required to be sworn in at the office of the City Clerk before acting
under the appointment.

SWORN IN _____ BY _____

Christine Pantano

From: Barbara Lambert [lambert@thecia.net]
Sent: Tuesday, March 10, 2009 11:59 AM
To: Christine Pantano
Subject: Fw: new Historical Commission member

----- Original Message -----

From: Barbara Lambert
To: Carolyn Kirk, Mayor
Sent: Monday, March 02, 2009 2:20 PM
Subject: new Historical Commission member

Your Honor:

I would like to propose a new Gloucester Historical Commission member, Richard White. His cv is attached. He is the one I mentioned when I saw you at the Lorraine Block charette.

He has attended 3 or 4 meetings, he is knowledgable and in particular can help with grants, and I think he would be an excellent asset.

Our current membership is: Ian Lane, Tom Okeefe, Steve Pardee, David Rhineland, Robert Wolfe and myself.

With many thanks,

Barbara

Barbara Lambert
The Thomas Riggs House
27 Vine Street
Gloucester, Ma. 01930
978 281-4802
lambert@thecia.net

3/16/2009

Objective: Community Service
Gloucester Historical Commission

Richard Burton White
18 Wingaersheek Rd.
Gloucester, MA. 01930
(978)-283-4637 (h)
(617)-523-8678 (w)
rwhite@oldcityhall.com (w)

Community Service

- 1992 - 2001 Elected Town Meeting Representative, Billerica Mass.
(Ombudsman Committee, Rules Committee)
- 1999 - 2000 Chairman, Call Street reuse Committee
- 1992 - 2001 Board of Directors, Billerica Access TV
- 1993 - 1998 President, Board of Directors, Billerica Access TV
- 1990 - 2001 Community Television Producer, Billerica Access TV
- 1997 - 2001 Non-profit Board Liaison to "Billerica Plan"

Summary of Professional Qualifications

- Insightful lease negotiator, with proven ability to "close the deal".
Having successfully negotiated Commercial leases with individuals and multi-national corporations.
- Demonstrated ability to manage and prioritize multiple tasks simultaneously.
- Design and implement vision and mission statements.
- Ability to work with or without budgets while satisfying all constituencies
- Develop and implement preventative and corrective maintenance programs.
- Proven litigation awareness skills
- Develop and implement risk management program.
- Develop and maintain management policies and procedures.
- Excellent team builder, communicator and facilitator.
- Strong tenant relations and tenant retention skills.
- Proven leasing skills from development of market analysis, marketing plan and plan implementation, through lease creation, negotiation and administration.

Professional Experience

- Certified Property Manager, (CPM) 1986 - present
- Property Manager, 1976 - present
 - Consultant and Board Development for non-profits
 - Chairman Community Real Estate Project: Development of local non-profit public access television facility (\$500,000).
 - Architectural Heritage Foundation Advisory Board

Education

- Bachelor of Arts - Political Science, United States History
University of Massachusetts, Boston
- Certified Property Manager, CPM
Institute of Real Estate Management
- Real Property Administrator, RPA
Building Owners and Managers Institute (BOMA)

Professional Affiliations

- Greater Boston Real Estate Board
- Building Owners and Managers Association
- Society of Real Property Administrators
- Institute of Real Estate Management
- Massachusetts Association of Realtors

Personal

- Married: Joy White, Curriculum Coordinator , Essex Agricultural High School
- Adult Daughters: Sarah and Emily

City Hall
Nine Dale Avenue
Gloucester, MA 01930



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FAX 978-281-9738
ckirk@ci.gloucester.ma.us

CITY OF GLOUCESTER
OFFICE OF THE MAYOR

February 5, 2009

Mr. Robert Wolfe
P.O. Box 1600
Gloucester, MA 01930

Dear Mr. Wolfe:

I am pleased to reappoint you to a three year term on the Historical Commission. Your appointment will be sent to the City Council for their meeting of February 10, 2009 and will be referred to the Ordinance and Administration subcommittee. You will receive a notice from the Clerk of committees as to the date on which your appointment will be discussed by the committee.

I have issued you a 90-day temporary appointment, effective February 15, 2009. Please report to the City Clerk's office to pick up your appointment card (copy attached) and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to working with you in the coming years to help make Gloucester a better place for all of us to live.

Should you have any questions or if you require any further information, please do not hesitate to contact my office.

Thank you again.

Sincerely,

Carolyn A. Kirk
Mayor

Enclosure
CAK/c

The City of Gloucester, Massachusetts

Dear Robert Wolfe, P.O. Box 1600, Gloucester, MA 01930

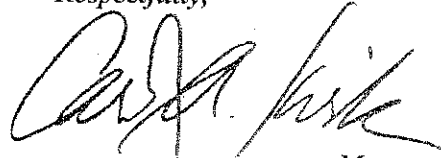
*It is my pleasure to inform you that I have this day appointed you
to the Historical Commission
of the City of Gloucester, Massachusetts.*

Effective February 15, 2009.

This is a 90-day temporary appointment.

After City Council approval, term to expire 2/14/2012.

Respectfully,



Mayor

N.B. *You are required to be sworn in at the office of the City Clerk before acting
under the appointment.*

SWORN IN _____ BY _____

The General Laws of Massachusetts

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PART I. ADMINISTRATION OF THE GOVERNMENT**TITLE VII. CITIES, TOWNS AND DISTRICTS****CHAPTER 40. POWERS AND DUTIES OF CITIES AND TOWNS****PURPOSES FOR WHICH TOWNS MAY APPROPRIATE MONEY****Chapter 40: Section 8D. Historical commission; establishment; powers and duties**

Section 8D. A city or town which accepts this section may establish an historical commission, hereinafter called the commission, for the preservation, protection and development of the historical or archeological assets of such city or town. Such commission shall conduct researches for places of historic or archeological value, shall cooperate with the state archeologist in conducting such researches or other surveys, and shall seek to coordinate the activities of unofficial bodies organized for similar purposes, and may advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which it deems necessary for its work. For the purpose of protecting and preserving such places, it may make such recommendations as it deems necessary to the city council or the selectmen and, subject to the approval of the city council or the selectmen, to the Massachusetts historical commission, that any such place be certified as an historical or archeological landmark. It shall report to the state archeologist the existence of any archeological, paleontological or historical site or object discovered in accordance with section twenty-seven C of chapter nine, and shall apply for permits necessary pursuant to said section twenty-seven C. Any information received by a local historical commission with respect to the location of sites and specimens, as defined in section twenty-six B of chapter nine, shall not be a public record. The commission may hold hearings, may enter into contracts with individuals, organizations and institutions for services furthering the objectives of the commission's program; may enter into contracts with local or regional associations for cooperative endeavors furthering the commission's program; may accept gifts, contributions and bequests of funds from individuals, foundations and from federal, state or other governmental bodies for the purpose of furthering the commission's program; may make and sign any agreements and may do and perform any and all acts which may be necessary or desirable to carry out the purposes of this section. It shall keep accurate records of its meetings and actions and shall file an annual report which shall be printed in the case of towns in the annual town report. The commission may appoint such clerks and other employees as it may from time to time require. The commission shall consist of not less than three nor more than seven members. In cities the members shall be appointed by the mayor, subject to the provisions of the city charter, except that in cities having a city manager form of government, said appointments shall be by the city manager, subject to the provisions of the charter; and in towns they shall be appointed by the selectmen, excepting towns having a town manager form of government, in which towns appointments shall be made by the town manager, subject to the approval of the selectmen. When a commission is first established, the terms of the members shall be for one, two or three years, and so arranged that the terms of approximately one third of the members will expire each year, and their successors shall be appointed for terms of three years each. Any member of a commission so appointed may, after a public hearing if requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall in a city or town be filled for the unexpired term in the same manner as an original appointment. Said commission may acquire in the name of the city or town by gift, purchase, grant, bequest, devise, lease or otherwise the fee or lesser interest in real or personal property of significant historical value and may manage the same.

June Budrow

From: "jackie hardy" <jackieahardy@verizon.net>
 To: "June Budrow, Clerk of Committees" <jbudrow@ci.gloucester.ma.us>
 Sent: Friday, February 27, 2009 12:40 PM
 Subject: Civil Defense - Order for Reorganization

June, please advise if this order was ever acted upon



CITY OF GLOUCESTER 2008 CITY COUNCIL ORDER

ORDER:	#CC2008-010
COUNCILLOR:	Jackie Hardy

DATE RECEIVED BY COUNCIL: 03/04/2008
REFERRED TO: O&A
FOR COUNCIL VOTE:

THAT:

Pursuant to Section 7-1. "Reorganization Plans by City Council" of the Gloucester City Charter, The City Council, in cooperation with the Administration, initiate a reorganization plan of the Civil Defense Department as laid out in Article VII "Civil Defense" Sections 2-650 through 2-660 of the Gloucester Code of Ordinances to effect changes necessary to bring this Department more in line with today's emerging and changing local and global needs and reestablish it as the "Office (Department or Division) of Emergency Management."

Said Reorganization plans shall include, but not be limited to, review and or establishment of the duties, salaries and/or stipends of the Director of Emergency Management (which would replace the current department of Civil Defense) its volunteers, staff and/or employees, and identification and implementation of a funding source so as to allow the newly organized office (department or division) to operate to the full extent necessary to provide each and every citizen of this city regardless of address or distance away from the dispatching of said emergency services, with the necessary emergency products and services that may be needed during a crisis and/or emergency situations.

2/27/2009



CITY OF GLOUCESTER 2009 CITY COUNCIL ORDER

ORDER: #CC2009-018
COUNCILLOR: Jackie Hardy

DATE RECEIVED BY COUNCIL: 03/24/09
REFERRED TO: O&A
FOR COUNCIL VOTE:

Ordered that the City Council (President) appoint an ad hoc committee to promote the proposed new quarter coin with the Fisherman's Monument on the back. The Committee should consist of 5 members, one from each ward (recommended by the Ward Councilor) and should be charged with developing ideas and suggesting programs that will bring Gloucester national publicity and aid in promoting tourism, maximizing this event for the benefit of our City.

Councilor Jackie Hardy



CITY OF GLOUCESTER 2009 CITY COUNCIL ORDER

ORDER: #CC2009-019
COUNCILLOR: Gus Foote

DATE RECEIVED BY COUNCIL: 04/10/09
REFERRED TO: O&A
FOR COUNCIL VOTE:

Ordered that the following changes be made to various sub-sections of Section 19, DIVISION 1 and 2 of the Gloucester Code of Ordinances:

By deleting Section 19-16, entitled "Examination of shop, inventory, vehicles, etc., in its entirety and replacing with the following:

Sec. 19-16. Examination of shop, inventory, vehicles, etc.

The shop and all items of merchandise referred to in this article, and any place, vehicle or receptacle used for the collection or keeping of such items may be examined at all times by the mayor and City Council, or by any police officer of the city, or by any person authorized by the mayor or City Council to make such examination.

by deleting Section 19-18 in its entirety and replacing it as follows:

Section 19-18. Record of Purchases.

Every keeper of a shop in the City for the purchase, sale or bartering of gold, silver, or other valuable second hand

items shall keep a permanently bound book in which he shall at the time of purchase of any item enter in the English

language a legibly printed and detailed description thereof, and the amount paid therefore; the name, the residence

(by street and number, City or Town), telephone number, date of birth and social security number, date of birth and

social security number of person from whom such items are purchased; and the date and hour of the transaction.

In addition thereto such shopkeeper shall

1. Require the person selling such articles to provide one form of photo identification issued by a government agency. A copy of such photo identification shall be made and maintained with said book as part of his records.
2. Make and maintain a photograph of all items purchased and keep said photograph with said book as part of his records.
3. Photograph the person selling said items and shall keep said photograph with said book as part of his records.

Said book and the photocopies and photographs required hereby shall at all times be open to the inspection of the Mayor, the City Council or any individual City Councilor, police officers of the City of Gloucester or State Police or to any other person authorized by the Mayor or City Council to make such inspection.

Keeper of a shop for the purchase and sale of gold, silver, and/or other valuable second hand items shall photocopy and FAX to the Chief of Police of the City or his designee a copy of such entry. If delivery cannot be made by FAX for whatever reason, the copy of the above transaction should be hand delivered to the Chief of Police or his designee.

by deleting Section 19-19 in its entirety and replacing with:

Sec. 19-19. Articles not to be sold until thirty days after purchase or receipt thereof.

No such item purchased or received by any dealer or keeper of a shop shall be removed from the city or sold or otherwise disposed of nor its identity changed until at least thirty (30) days from the date of purchase has elapsed, unless permission in writing has been obtained from the chief of police or his designee who may request to observe or photo such item.

by deleting Section 19-20, in its entirety and replacing with the following:

Sec. 19-20. Dealing with minors.

No dealer in junk, old metals or secondhand items shall directly or indirectly purchase or receive by way of barter or exchange such goods, or allow such goods to be deposited upon or within his premises, shop vehicle, by any minor, knowing or having reason to believe him to be such.

by adding new section 19-22 as follows:

Sec. 19-22. Signs required.

Every keeper of a shop for the purchase, sale or barter of junk, old metals or secondhand items in the city shall put in a suitable and conspicuous place on his shop a sign having his name and occupation legibly inscribed thereon.

by adding new section 19-23 as follows:

Sec. 19-23. Place of business to be that designated in license.

No dealer in junk, old metals or secondhand items shall carry on his business in any other place than that designated in his license, unless a consent to his removal be granted by the City Council.

by deleting Section 19-30, paragraph a, and replacing it with

No person who makes a business of purchasing and selling, or who keeps a place of business in the city for purchasing or purchasing and selling either gold or silver coins, stamps, or other precious metals, art objects, paintings, jewelry, rugs or other secondhand items such as antiques and/or furniture, junk or old metals, shall engage in such business or open such place of business for such purposes unless licensed by the Gloucester Licensing Commission. The Commission may revoke such licenses at pleasure.

deleting Section 19-36 in its entirety and replacing with:

Sec. 19-36. Penalties – fines and/or suspension/revocation.

Failure to comply with any requirement of this ordinance shall result in a fine of \$100 for the first offense and a fine of \$300 for any second or subsequent offense.

Nothing in this Section shall abrogate the right of the City Council to revoke any license issued under this ARTICLE IV at their pleasure in accordance with Sec. 12-71 herein or G. L. Chapter 14, Sec. 54. (Ord. No. 12, 2-13-2006)

Councilor Gus Foote

Inspectional Services

3 Pond Road
Gloucester, MA 01930

Ph# 978-281-9774
Fax# 978-282-3036

**CITY OF
GLOUCESTER**

Memo

RECEIVED

MAR 13 2009

Mayor's Office

To: Jim Duggan, COA
From: Bill Sanborn, Inspector of Buildings *BS*
Date: March 16, 2009
Re: Trench Permit

Jim,

As you are aware, the state has adopted 520 CMR section 14.00 Excavation and Trench Safety M.G.L. c 82A. This mandates that the City must issue permits for all trench excavations whether on public or private properties.

Therefore, I request that the attached Draft Ordinance (proposed section 5-3) be forwarded to the Council through the Mayor's Report for approval.

Bill

CODE OF ORDINANCE DRAFT 3/9/09

Section 5-3 ??

No person shall excavate a trench either on private property or a public way without first obtaining a trench permit from the Inspector of Buildings in accordance with 520 CMR 14.00 EXCAVATION AND TRENCH SAFETY M.G.L. c 82A.

The fee for a trench permit shall be \$50.00 (fifty dollars) however the Inspector of Buildings may waive the fee if another city permit was issued and paid for relative to said trench.

Failure to obtain a trench permit prior to the start of excavation will result in the fee being increased to \$150.00 (one hundred fifty dollars).

Violation: If a trench is deemed to be unsafe in accordance to 520 CMR 14.00 the Inspector of Buildings shall take the necessary action to make said trench safe (filling in trench/hiring police detail, etc). The cost of this expense shall be recovered as a municipal charges lien.

LAW DEPARTMENT

MEMORANDUM

TO: Carolyn A. Kirk, Mayor

FROM: Suzanne P. Egan *SP*
General Counsel

RE: Clean Energy Commission

DATE: April 1, 2009

Please find attached the draft ordinance pertaining to the Clean Energy Commission.

Enclosure

DIVISION 11

SECTION 2-514 CLEAN ENERGY COMMISSION

Be it enacted by the City Council assembled and by the authority of the same as follows:

Sec. 2-514 The Gloucester Clean Energy Commission is created to promote clean energy options in Gloucester, including energy efficiency, conservation and the development of clean and renewable energy.

Sec. 2-515 The Commission shall pursue the following tasks:

- a) Propose and develop strategies to reduce energy costs of city-owned facilities and vehicles through energy conservation, efficiency and renewable energy measures. The strategies may include electricity, vehicle fuel, natural gas and oil conservation and may identify innovative cost-saving measures.
- b) Recommend city-wide programs including participation in federal or state-wide energy initiatives, such as the Green Communities Program, to promote and facilitate smart energy strategies for Gloucester citizens on both public and private real property.
- c) Work with appropriate city departments to track energy usage and costs associated with key assets and operations of the City.
- d) Identify climate adaptation and mitigation issues and strategies to safeguard the long-term economic and cultural vitality of the City.
- e) Follow emerging federal and state mandates, as well as initiatives and funding opportunities for energy conservation, renewable energy, or climate adaptation and mitigation strategies. Recommend strategies to comply with applicable mandatory or voluntary standards.
- f) Provide guidance, in the form of education or information, to the Mayor, City Council and key city departments and personnel, to support their decision-making on recommended strategies and clean energy opportunities.
- g) Serve as a communications and information resource on clean energy issues and city initiatives for the public through:
 - i) Meetings and sponsored events;
 - ii) Maintenance of an active web site;
 - iii) Regular communications to interested parties; and
 - iv) Public/private partnerships.

Sec. 2-516

a) The Commission shall consist of seven (7) members. Members shall be appointed by the Mayor and approved by the City Council, subject to the provisions of the City Charter. Appointees shall serve staggered terms of two years beginning at the date of appointment and ending on February 14 as required by the city charter. Commission members shall be Gloucester residents and may include representation by appropriate city employees as determined by the Mayor. Members will be selected based on relevant experience and knowledge in energy management strategies, renewable and alternate energies, energy efficiency and/or community sustainability. A vacancy occurring other than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment.

b) The terms of the members shall be staggered, as such, the initial members shall be for the following terms:

- i. Three members for one year;
- ii. Four members for two years.

c) The Commission shall:

- i. Meet on a monthly basis and retain meeting minutes;
- ii. Report to the Mayor on a quarterly basis; and
- iii. Beginning six months after its initial formation, the Commission shall submit to the Council on a semi-annual basis a report of its activities and its progress in achieving its mission.